

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

Bill No. 04-51

Introduced by: Council Member Cassilly

Legislative Day No. 04-31 Date: December 14, 2004

AN ACT to repeal and reenact, with amendments, Section 267-36.1, RO Residential/Office District, of Article VI, District Regulations, to repeal and reenact, with amendments, subsection B, of Section 267-43, Approval, of Article VII, Design Standards for Special Developments; to add new subsection (M) to Section 267-44, Applicability, of Article VII, Design Standards for Special Developments; to add new Section 267-47.1, Retail/Service/Office Uses in the RO District to Article VII, Design Standards for Special Developments, all of Part 1, Standards, all of Chapter 267, Zoning; to repeal and reenact, with amendments, Table I: Principal Permitted Uses for Specific Zoning Districts: Retail Trade; and to repeal and reenact, with amendments, Table I: Principal Permitted Uses for Specific Zoning Districts: Services, all of Chapter 267, Zoning, of the Harford County Code, as amended; to require that retail, service and office uses in the RO District be approved by the Board of Appeals; to establish design standards for retail, service and office uses in the RO District; to establish hours of operation in the RO District; to establish screening, landscaping, lighting and ingress and egress requirements in the RO District; to modify certain tables of principal permitted uses; and generally relating to land development or redevelopment in the RO District.

By the Council, December 14, 2004

Introduced, read first time, ordered posted and public hearing scheduled

on: January 11, 2005

at: 7:15 p.m.

By order: Barbara J. Rush, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 11, 2005, and concluded on January 11, 2005.

Barbara J. Rush, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter Deleted from existing law. Underlining indicates Language added to bill by amendment. Language Lined through indicates matter stricken out of Bill By amendment.

1 Section 1. Be It Enacted By The County Council of Harford County,
2 Maryland, that Section 267-36.1, RO Residential/Office District, of Article VI,
3 District Regulations, be, and it is hereby, repealed and reenacted, with
4 amendments; that Subsection B, of Section 267-43, Approval, of Article VII,
5 Design Standards for Special Developments, be, and it is hereby,
6 repealed and reenacted, with amendments; that new subsection (M), be, and it is
7 hereby, added to section 267-44, Applicability, of Article VII, Design Standards
8 for Special Developments; that new Section 267-47.1,
9 Retail/Service/Office Uses in the RO District, be, and it is hereby added to Article
10 VII, Design Standards for Special Developments, all of Part 1, Standards; that
11 Table I: Principal Permitted Uses for Specific Zoning Districts: Retail Trade, be,
12 and it is hereby, repealed and reenacted, with amendments; and that Table I:
13 Principal Permitted Uses for Specific Zoning Districts: Services, be, and it is
14 hereby, repealed and reenacted, with amendments, all of Chapter 267, Zoning, of
15 the Harford County Code, as amended, to read as follows:
16 Chapter 267. Zoning.
17 Part 1. Standards.
18 Article VI. District Regulations.
19 Section 267-36.1. RO Residential/Office District.
20 A. Purpose. This district is intended to provide for the conversion of
21 residential structures to other uses and construction of small retail, service and
22 office buildings in predominantly residential areas on sites that, because of
23 adjacent commercial activity, heavy commercial traffic or other similar factors,

1 may no longer be suitable for only those uses allowable in residential districts. It
2 is the common intention in this district that the buildings and uses be compatible
3 with provide a transition from and be in harmony with the present or prospective
4 uses of nearby residential property.

5 B. General regulations. Minimum lot area, area per dwelling or family unit,
6 building setback from adjacent residential lot lines, lot width, front, side and rear
7 yard and maximum building height, as displayed in Table VIIA, shall apply,
8 subject to other requirements of this Code.

9 C. Specific regulations. The following uses are permitted subject to the
10 additional requirements below:

11 (1) Agriculture, on a lot of two acres or more, provided that not more than one
12 animal unit per acre shall be permitted. Agriculture shall be permitted as an
13 interim use on any parcel pending its development for residential purposes,
14 provided that all buildings associated with this use, including farm houses, barns
15 and silos, shall meet the required minimum setbacks for principal uses. Buildings
16 in which animals are housed or kept shall comply with the following setbacks for
17 adjacent residential lots:

18		Setback From Adjacent
19	Number of	Residential Lot
20	Animal Units	(feet)
21	1 to 2	100
22	3 to 10	150
23	11 or more	200

1 (2) Residential development, subject to the standards in Table VIIA.

2 (3) Conversion of an existing single-family detached dwelling to
3 accommodate not more than four dwelling units, subject to a minimum lot area of
4 five thousand square feet per dwelling unit. Parking on site shall be provided at a
5 minimum of two spaces per dwelling unit.

6 (4) Retail/service/office uses SHALL BE PERMITTED IN ACCORDANCE
7 WITH ARTICLE VII OF THIS CHAPTER.

8 [(a) Redevelopment of existing residential structures. Redevelopment of existing
9 residential structures shall be permitted provided that any physical modification is
10 compatible and in harmony with the neighboring residential communities relative
11 to architectural design, scale, building height and the materials used in
12 construction.

13 (b) Development of new buildings. New buildings developed for retail, service
14 and office uses shall be designed to be compatible and in harmony with the
15 neighboring residential communities relative to architectural design, scale,
16 building height and the materials used in construction. Front elevations must be
17 submitted to the Zoning Administrator for review and approval and shall include
18 materials to be used. Elements to be considered in determining compatibility with
19 the neighboring residential communities shall include massing and building
20 materials as well as cornice lines, window lines, roof pitch and entry.

21 (c) Design requirements. See Design Table VIIA.

1 (d) Maximum building coverage. The maximum building coverage shall be forty
2 percent of the lot, and the maximum impervious surface shall be sixty-five
3 percent of the lot.]

4 (5) Rubble landfills are permitted in accordance with § 267-40.1 of this
5 chapter.

6 (6) The following uses ARE PERMITTED IN ACCORDANCE WITH
7 ARTICLE VII OF THIS CHAPTER, provided that a minimum parcel area of
8 30,000 square feet is established:

9 (a) Business and office equipment rental or leasing;

10 (b) Business equipment sales;

11 (c) Party supply shops;

12 (d) Photography equipment and supply shops; and

13 (e) Medical equipment rental and sales.

14 (7) Except for cosmetic shops, key shops and novelty shops, specialty shops
15 are a permitted use IN ACCORDANCE WITH ARTICLE VII OF THIS
16 CHAPTER.

17 [D. Use limitations. The permitted uses in the Residential/Office District shall
18 comply with the following:

19 (1) Enclosed building. All uses permitted shall be conducted within an
20 enclosed building, except parking, loading, unloading or as otherwise
21 permitted.

22 (2) Storage restriction. The outside storage of material or equipment
23 shall not be permitted.

1 (3) Screening requirement. Parking, loading, unloading or other
2 outdoor activities shall be screened from adjacent residential lots.
3 Such screening shall consist of landscaping, walls or solid fencing
4 at least six feet high which shall be continuous to prevent visibility
5 of the area.

6 (4) Hours of operation. Uses shall only be permitted to operate
7 between the hours of 6:00 a.m. and 10:00 p.m., inclusive.

8 E. Landscaping. The landscaping shall, to the extent possible, preserve
9 unique features and mature vegetation, especially large trees. Lawn and
10 landscaped areas shall be maintained to preserve the residential character
11 of the area. Landscaped buffer yards shall be planted in harmony with
12 adjoining residences and in accordance with § 267-28 herein. A
13 landscaping plan shall be submitted to the Zoning Administrator for
14 review and approval.

15 F. Outside lighting. Outside lighting shall be so shaded, shielded, directed or
16 maintained so that the lighting does not cause a glare or reflection on
17 adjacent residential lots.

18 G. Any ingress or egress to the site shall be designed to provide the safest
19 means of traffic flow.]

20 Article VII. Design Standards for Special Developments.

21 Section 267-43. Approval.

22 B. Board approval. The following special developments shall be subject to
23 approval of the Board pursuant to this section and § 267-9, Board of Appeals:

1 (1) Planned Residential Development.

2 (2) Mobile home park.

3 (3) The location on a parcel or portion thereof for an integrated
4 community shopping center. The development plans for an integrated
5 community shopping centers shall be approved by the Zoning
6 Administrator in accordance with this article.

7 (4) The location of parcel or portion thereof for a Rte. 40 CRD shopping
8 center over 40,000 square feet.

9 (5) RETAIL/SERVICE/OFFICE USES IN THE RO DISTRICT.

10 Section 267-44. Applicability.

11 The development and design standards set forth in this Article shall
12 regulate the following projects:

13 (M) RETAIL/SERVICE/OFFICE USES IN THE RO DISTRICT.

14 SECTION 267- 47.1. RETAIL/SERVICE/OFFICE USES IN THE RO DISTRICT.

15 A. PURPOSE. TO PROVIDE OPPORTUNITIES FOR CONVERSION OF
16 EXISTING RESIDENTIAL STRUCTURES OR THE DEVELOPMENT
17 OF NEW STRUCTURES FOR RETAIL, SERVICE AND OFFICE USES
18 IN PREDOMINANTLY RESIDENTIAL AREAS. THE PURPOSE OF
19 THESE DEVELOPMENT STANDARDS ARE TO ENSURE THAT
20 THE STRUCTURES AND USES DEVELOPED ARE COMPATIBLE
21 AND IN HARMONY WITH THE NEIGHBORING RESIDENTIAL
22 COMMUNITIES.

23 B. DEVELOPMENT STANDARDS.

1 (1) DESIGN. AN ARCHITECTURAL RENDERING OF THE
2 BUILDING FAÇADE AND ELEVATIONS OF THE
3 STRUCTURE SHALL BE SUBMITTED TO THE BOARD. THE
4 RENDERING SHALL DEMONSTRATE HOW THE PROJECT
5 MEETS THE FOLLOWING STANDARDS AND OBJECTIVES:

6 (a) REDEVELOPMENT OF EXISTING RESIDENTIAL
7 STRUCTURES. REDEVELOPMENT OF EXISTING
8 RESIDENTIAL STRUCTURES SHALL BE PERMITTED
9 PROVIDED THAT ANY PHYSICAL MODIFICATION IS
10 COMPATIBLE AND IN HARMONY WITH THE
11 NEIGHBORING RESIDENTIAL COMMUNITIES
12 RELATIVE TO ARCHITECTURAL DESIGN, SCALE,
13 BUILDING HEIGHT AND THE MATERIALS USED IN
14 CONSTRUCTION.

15 (b) DEVELOPMENT OF NEW BUILDINGS. NEW
16 BUILDINGS DEVELOPED FOR RETAIL, SERVICE AND
17 OFFICE USES SHALL BE DESIGNED TO BE
18 COMPATIBLE AND IN HARMONY WITH THE
19 NEIGHBORING RESIDENTIAL COMMUNITIES
20 RELATIVE TO ARCHITECTURAL DESIGN, SCALE,
21 BUILDING HEIGHT AND THE MATERIALS USED IN
22 CONSTRUCTION. ELEMENTS TO BE CONSIDERED IN
23 DETERMINING COMPATABILITY WITH

1 NEIGHBORING RESIDENTIAL COMMUNITIES SHALL
2 INCLUDE MASSING AND BUILDING MATERIALS AS
3 WELL AS CORNICE LINES, WINDOW LINES, ROOF
4 PITCH AND ENTRY.

5 (c) DESIGN REQUIREMENTS. SEE DESIGN TABLE VIIA.

6 (2) MAXIMUM BUILDING COVERAGE. THE MAXIMUM
7 BUILDING COVERAGE SHALL BE 40% OF THE LOT, AND
8 THE MAXIMUM IMPERVIOUS SURFACE SHALL BE 65%
9 OF THE LOT.

10 (3) USE LIMITATIONS. THE USES PERMITTED UNDER THIS
11 SECTION SHALL COMPLY WITH THE FOLLOWING:

12 (a) ENCLOSED BUILDING. ALL USES PERMITTED SHALL
13 BE CONDUCTED WITHIN AN ENCLOSED BUILDING,
14 EXCEPT PARKING, LOADING, UNLOADING OR AS
15 OTHERWISE PERMITTED.

16 (b) STORAGE RESTRICTION. THE OUTSIDE STORAGE OF
17 MATERIAL OR EQUIPMENT SHALL NOT BE
18 PERMITTED

19 (c) SCREENING REQUIREMENTS. PARKING, LOADING,
20 UNLOADING OR OTHER OUTDOOR ACTIVITY SHALL
21 BE SCREENED FROM ADJACENT RESIDENTIAL LOTS.
22 SCREENING SHALL CONSIST OF LANDSCAPING,
23 WALLS OR SOLID FENCING AT LEAST 6 FEET HIGH

1 WHICH SHALL BE CONTINUOUS TO PREVENT
2 VISIBILITY OF THE AREA.

3 (d) HOURS OF OPERATION. USES SHALL ONLY BE
4 PERMITTED TO OPERATE BETWEEN THE HOURS OF
5 6:00 A.M. AND 10:00 P.M., INCLUSIVE.

6 (4) LANDSCAPING. THE LANDSCAPING SHALL, TO THE
7 EXTENT POSSIBLE, PRESERVE UNIQUE FEATURES AND
8 MATURE VEGETATION, ESPECIALLY LARGE TREES.
9 LAWN AND LANDSCAPED AREAS SHALL BE
10 MAINTAINED TO PRESERVE THE RESIDENTIAL
11 CHARACTER OF THE AREA. LANDSCAPED BUFFER
12 YARDS SHALL BE PLANTED IN HARMONY WITH
13 ADJOINING RESIDENCES AND IN ACCORDANCE WITH
14 §267-28 OF THIS CHAPTER. A LANDSCAPING PLAN
15 SHALL BE SUBMITTED TO THE BOARD FOR REVIEW AND
16 APPROVAL.

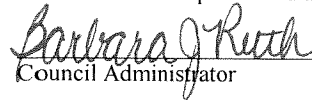
17 (5) OUTSIDE LIGHTING. OUTSIDE LIGHTING SHALL BE SO
18 SHADED, SHIELDED, DIRECTED OR MAINTAINED SO
19 THAT THE LIGHTING DOES NOT CAUSE A GLARE OR
20 REFLECTION ON ADJACENT RESIDENTIAL LOTS.

21 (6) INGRESS AND EGRESS. ANY INGRESS OR EGRESS TO
22 THE SITE SHALL BE DESIGNED TO PROVIDE THE SAFEST
23 MEANS OF TRAFFIC FLOW

- 1 Section 2. And Be It Further Enacted, That This Act shall take effect 60 calendar
- 2 days from the date it becomes law.

EFFECTIVE: March 21, 2005

The Council Administrator of the Council
does hereby certify that fifteen (15) copies
of this Bill are immediately available for
distribution to the public and the press.



Council Administrator

HARFORD COUNTY BILL NO. 04-51

Brief Title Zoning Code RO District
is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Barbara J. Ruth
Council Administrator

Date January 11, 2005

ENROLLED

Robert S. Hagner
Council President

Date January 11, 2005

BY THE COUNCIL

Read the third time.

Passed: LSD 05-02

Failed of Passage: _____

By Order

Barbara J. Ruth
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 12th day of January, 2005 at 3:00 p.m.

Barbara J. Ruth
Council Administrator



BY THE EXECUTIVE

James M. Harkin
COUNTY EXECUTIVE

APPROVED: Date January 18, 2005

BY THE COUNCIL

This Bill No. 04-51, having been approved by the Executive and returned to the Council, becomes law on January 18, 2005.

EFFECTIVE DATE: March 21, 2005

Barbara J. Ruth
Barbara J. Ruth, Council Administrator

Table I:

Principal Permitted Uses for Specific Zoning Districts:

(Amended by Bill Nos. 85-7; 88-85; 88-87; 00-10; 00-56)

RETAIL TRADE

USE CLASSIFICATIONS										ZONING DISTRICTS									
RETAIL TRADE																			
	AG	RR	R	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI			
Agricultural Retail	P							SE		P	P	P	P	P					
Antique shops, art galleries and museums	SE							SD		P	P	P	P	P					
Auction houses, animal and agricultural related products	SE									SE			SE	P		P			
Auction houses, non agricultural related										P		P	P	P		P			
Christmas tree sales	T	T		T	T	T	T		T	T	T	T	T	T		T			
Convenience goods stores							SD			P	P	P	P	P					
Farmers co-ops	P									P	P	P	P	P		P			
Feed and grain mills	P									P						P			
Feed and grain – storage and sales	SD																		
General merchandise stores										P			P	P					
Hawkers and peddlers										T		T	T	T		T			
Liquor stores										P		P	P	P		P			
Integrated community shopping centers (ICSC)											SD/ **	SD/ **	SD/ **						
Shopping centers										P	P	P	P						
Shoppers merchandise stores*										P		P	P	P		P			

KEY: "P" indicates permitted subject to applicable code requirements

"SD" indicates permitted subject to special-development regulations, pursuant to Article VII.

"SE" indicates permitted subject to special-exception regulations, pursuant to Article VIII.

"T" indicates permitted subject to temporary-use regulations, pursuant to § 267-27.

* The following shoppers merchandise stores- business and office equipment rental or leasing, business equipment sales, party supply shops, photography equipment and supply shops, and medical equipment rental and sales, are permitted in the RO District AS SPECIAL DEVELOPMENTS PURSUANT TO ARTICLE VII

** indicates permitted subject to special-development regulations, pursuant to § 267-41.2
A blank cell indicates that the use is not permitted.

RETAIL TRADE (continued)

RETAIL TRADE (continued)

RETAIL TRADE (continued)

KEY:	
"P"	indicates permitted subject to applicable code requirements
"SD"	indicates permitted subject to special-development regulations, pursuant to Article VII.
"SE"	indicates permitted subject to special-exception regulations, pursuant to Article VIII.
"T"	indicates permitted subject to temporary-use regulations, pursuant to § 267-27.
*	Except for Cosmetic Shops, Key Shops and Novelty Shops
**	indicates permitted subject to special-development regulations in the Commercial Revitalization District (CRD) only
***	permitted in the Edgewood Neighborhood Overlay District (ENOD) only
	A blank cell indicates that the use is not permitted

KEY:	
"P"	indicates permitted subject to applicable code requirements
"SD"	indicates permitted subject to special-development regulations, pursuant to Article VII.
"SE"	indicates permitted subject to special-exception regulations, pursuant to Article VIII.
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	A blank cell indicates that the use is not permitted

Table I:

Principal Permitted Uses for Specific Zoning Districts: (Amended by Bill Nos. 85-7; 88-85; 88-87; 00-10; 00-56)

SERVICES

USE CLASSIFICATIONS										ZONING DISTRICTS							
SERVICES	AG	RR	R	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	
Blacksmiths	P									P			P	P		P	
Business services, including commercial schools								SD		P	P	P	P	P			
Construction services and suppliers	SE									SE			P	P		P	
Financial, insurance and real estate services								SD		P	P	P	P	P			
Funeral homes and morticians	SE									P		P	P	P			
Health services and medical clinics	SE							SE		P	P	P	P	P			
Kennels and pet grooming	SE									SE	SE	SE	P	P			
Personal services							SD	SD	SE	P	P	P	P	P			
Professional services							SD	SD	SE	P	P	P	P	P			
Restaurants	SD						SD			SE	SE	P	P	P			
Veterinary clinics or hospitals	SE									P		SE	P	P			
Veterinary practice, large animals	SD																
Corporate offices													P	P	P		
Mixed Use Center							SD** p***					SD** p***	SD** p***	SD** p***			
Planned Employment Center							p***						p***	p***	p***	p***	
Traditional Neighborhood Development							p***										

KEY: "P" indicates permitted subject to applicable code requirements

"SD" indicates permitted subject to special-development regulations, pursuant to Article VII.

"SE" indicates permitted subject to special-exception regulations, pursuant to Article VIII.

"T" indicates permitted subject to temporary-use regulations, pursuant to § 267-27.

** indicates permitted subject to special-development regulations in the Commercial Revitalization District (CRD) only

*** permitted in the Edgewood Neighborhood Overlay District (ENOD) only

A blank cell indicates that the use is not permitted